

Item _____

Prepared by _____

Approved by _____

RESOLUTION REQUESTING THE SHELBY COUNTY SCHOOL BOARD AND MEMPHIS CITY SCHOOL BOARD TO ESTABLISH A UNIFICATION EDUCATION PLANNING COMMISSION WITH REGARD TO CONSOLIDATION OF THE SHELBY COUNTY SCHOOLS AND THE MEMPHIS CITY SCHOOLS, AND THAT SAID PLANNING COMMISSION MAKE INTERIM RECOMMENDATIONS AND FILE A FINAL WRITTEN REPORT WITH THE SHELBY COUNTY SCHOOL BOARD WITHIN ONE YEAR. SPONSORED BY COMMISSIONER MIKE RITZ AND COMMISSIONER STEVE MULROY .

WHEREAS, A majority of the commissioners of the Memphis City School (MCS) Board have voted pursuant to Chapter 375 of the 1961 Private Acts to surrender the Charter for the Memphis City Schools and have further voted to transfer the Memphis City Schools to the Shelby County School (SCS) Board pursuant to Tenn. Code Ann. § 49-2-205, and have submitted this proposed action to the electorate in the City of Memphis for ratification; and

WHEREAS, if the MCS Board's proposal to transfer its school system to Shelby County Schools is ratified by the electorate in the City of Memphis in a referendum to be held March 8, 2011, the Memphis City Schools will immediately become part of the Shelby County Schools System; and

WHEREAS, the merger or consolidation of the Memphis City Schools, with more than 105,000 students, with the much smaller Shelby County School District will create a challenging opportunity for an environment conducive to effective learning for the students in the two school districts if done without adequate planning and preparation; and

WHEREAS, the procedure under Tenn. Code Ann. § 49-2-205 does not provide for or require the establishment of an entity to plan and provide for the orderly merger of the systems, such as the one provided by the establishment of the unification education planning commission as set forth in Tenn. Code Ann. § 49-2-1201 et seq.; and

WHEREAS, the Shelby County Board of Commissioners deems it in the best interest of the students of both the Memphis City Schools and the Shelby County Schools as well as the parents, teachers, taxpayers, citizens, and voters of Shelby County that there be adequate support from the whole Shelby County community for the merger or consolidation of the two school districts should that occur through the surrender of the Charter of the Memphis City School District and the transfer of MCS to SCS.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Shelby County Commission hereby requests the Shelby County School Board and the Memphis City School Board to agree to establish a Shelby County Unification Education Planning Commission (Shelby UEPC), modeled generally after the unification education planning commission provided by Tenn. Code Ann. § 49-2-1201 et seq., and requests that said Shelby UEPC be constituted within the following guidelines:

Section 1. That the Shelby County Unification Education Planning Commission Shelby County be comprised of a total of fifteen (15) members as follows: three (3) members of the current Shelby County School Board elected by the Shelby County School Board; three (3) members of the current Memphis City School Board elected by the Memphis City School Board; three (3) citizens jointly appointed by the Mayor of Shelby County and the Mayor of the City of Memphis; three (3) citizens appointed by the Memphis City Council; and three (3) citizens appointed by the Shelby County Commission. The nine (9) citizen members will have a public education orientation.

Section 2. It shall be the duty of the Shelby UEPC to study and consider the potential challenges and/or potential opportunities that may result with consolidation of all public schools within Shelby County into a unified school system, and to make or cause to be made comprehensive recommendations to concerning the needs, issues and/or potential opportunities that may result with school consolidation including, but not limited to, curricula, administration, facilities, teacher compensation, equipment, etc.

Section 3. It shall be the duty of the Shelby UEPC to make and file a final comprehensive written report with Shelby County School Board within one (1) year, or no later than January 31, 2011.

Section 4. Should for any reason the electorate in the City of Memphis fail to ratify the Memphis City Schools Charter surrender within sixty (60) calendar days of February 1, 2011, then the work of the Shelby UEPC shall be suspended for thirty (30) calendar days. Thereafter, the work of the Shelby UEPC shall resume only if requested by a majority of the members of the Board of the Shelby County School District and a majority of the members of the Board of the City of Memphis School District.

Section 5. The Shelby UEPC shall elect such officers as it deems appropriate from among its members and establish its own rules for its proceedings. All meetings of the Shelby UEPC shall be deemed public meetings held in accordance with applicable Sunshine Laws of this state, and all records of the Shelby UEPC shall be deemed open for public inspection in accordance with the provisions of the Tennessee Public Records Act. The School Boards are encouraged to allow the meetings to take place at their headquarters facilities.

Section 6. The ordinary and necessary expenses of the Shelby UEPC shall be borne equally by the County of Shelby. The County Commission allocates \$50,000 from its contingency for this purpose.

Section 7. Should a majority of the Board of the new Shelby County School District request the work of the Shelby UEPC to continue beyond January 31, 2012, the Shelby UEPC shall continue its mission for a period not to exceed an additional calendar 365 days and file such further and additional reports and studies with Shelby County School District, as deemed necessary to effectuate a smooth and workable transition to a unified school system in Shelby County.

Section 8. Members of the Shelby UEPC shall not receive per diem or other compensation for their services but shall be reimbursed for necessary expenses incurred by them.

BE IT FURTHER RESOLVED, That this resolution shall take effect immediately, the public welfare requiring the same.

Mark H. Luttrell, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____